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SUBJECT: EMBASSY ENGAGES CIVIL SOCIETY ON HUMAN RIGHTS  
PRESAGING FUTURE PARTNERSHIP

¶1. (SBU) Summary. In a meeting with representatives from Mexico's leading human rights non-governmental organizations (NGOs), the Ambassador proposed a regular dialogue focused on an agenda that would address recurrent issues, seek to build confidence, and promote transparency on an agreed list of human rights priorities. Discussion centered on seven priority areas that will help guide efforts to support civil society, address pressing human rights issues, and encourage needed changes in Mexico's military and police institutions. A full list of participants and a brief description of their organization is in paragraph 10. End summary.

Priority Areas

¶2. Discussion centered around the following seven priorities:

- Improving mechanisms for identifying, investigating, and ensuring appropriate legal prosecution of operational abuses committed by the police and military;
- Improving transparency in the government and military's treatment of human rights;
- Building trust and strengthening the dialogue between GOM and NGOs;
- Strengthening respect and support for the NGO human rights community in order to ensure zero tolerance for hostility, harassment, or threats against these groups for raising allegations of human rights abuses;
- Establishing a joint mechanism with the government to track implementation of its commitments on improving its human rights record;
- Clarifying that there are agreed and verifiable benchmarks for measuring future progress on human rights issues;
- Supporting the modernization of investigative and judicial mechanisms in both civilian and military judicial systems, including effective civilian oversight in those cases in which the police or military is believed to have been involved in crimes against civilians.

Investigating and Punishing Abuses

¶3. (SBU) NGO representatives stressed the need to view the human rights situation in the context of the GOM's heavy reliance on the military to combat organized crime. They pointed to the rise in the number of abuses over recent years; whereas in 2006 the National Human Rights Commission (CNDH) had registered 182 complaints against SEDENA, already in 2009 it had registered 934 complaints. The groups conceded that some drug cartels may be responsible for registering false cases in a bid to damage the military's reputation, but they noted CNDH recommendations for SEDENA pertaining to the most serious cases had also increased from none in 2006 to 19 so far this year. Several representatives recounted how the war on criminal groups had folded into a dirty war against indigenous communities that dated back several decades and reviewed the details of several specific

cases in Chiapas and Guerrero.

¶4. (SBU) The groups also expressed dissatisfaction over the military retaining the lead for investigating and prosecuting alleged military abuses committed against civilians, maintaining victims could not trust the military to try its own without bias. They described the military as non-transparent and unresponsive to requests for more information about specific cases. While most would like the Supreme Court to rule that civilian courts should assume jurisdiction over cases affecting civilians, they recognized the current political exigencies made that unlikely in the near future. The Ambassador observed Mexican authorities consistent with the country's international obligations would have to resolve the debate over jurisdiction but stressed our shared commitment to the investigation and prosecution of human rights committed by the police and the military.

#### Improving Transparency

¶5. (SBU) NGO leaders complained about the way in which government, military, and police institutions respond to charges of specific human rights abuses. When claims of wrongdoing are acknowledged, usually by accepting recommendations from the National Commission for Human Rights, the government does not explain how it will investigate the details or punish the perpetrators. In fact, the NGOs related, it is exceedingly difficult for civil society to get information from government agencies, inhibiting their ability to track cases and monitor issues. Additionally, they expressed concern that while the government has identified a large number of law enforcement officials who have not passed GOM vetting processes, there is no information on what steps have been taken to either remove

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them or provide the proper training.

#### Building Trust Between the NGOs and the GOM

¶6. (SBU) The NGOs spoke to frustration that they have in working with the federal government. Frequently, they find that they have better working relationships at the state and local levels. At the federal level, however, they find the federal government and military resistant to open exchanges with civil society. One representative pointed to President Calderon's call upon the military's human rights detractors to prove "just one case" of abuse by a soldier as an example of an example of the government's uncooperative approach on human rights.

#### Ending Hostility Towards the NGO community

¶7. (SBU) Several of the groups expressed serious concern about threats to human rights defenders, particularly in Mexico's interior. Representatives from Tlachinollan Mountain Human Rights Center in the state of Guerrero recounted threats and violence against their staff and members. All of the NGOs present were adamant that the GOM needs to do more to protect activists by providing police escorts and setting an example of respectful, peaceful engagement. One representative encouraged the USG to consider extending emergency visas to human rights activists facing dire threats and urged the Ambassador to pressure the GOM to do more to ensure the safety of human rights defenders and punish their abusers. They wanted the Mexican government to set the tone in terms of greater respect for human rights defenders.

#### Tracking Commitments

¶8. (SBU) NGO representatives stressed the need to ensure that the GOM fulfills its commitments on human rights. They pointed out that civil society has a limited ability to follow up on commitments the GOM has made domestically to the CNDH and internationally to the United Nations and the Inter-American Court. They asked the Ambassador to support them in their efforts to ensure the GOM is meeting its commitments and making progress on human rights. The Ambassador spoke to the value of creating a mechanism to track commitments.

¶9. (SBU) Comment: The Embassy will build on these early meetings (see septel on human rights discussion on the margins of U.S.-Mexican bilateral and trilateral human rights consultations lead by DRL Senior Advisor Mike Kozak) by

jointly preparing an agenda with these and other organizations which can shape a constructive dialogue with the human rights community in Mexico. The aim will be to identify constructive ways to strengthen cooperative efforts with the GOM, enhance transparency, follow up on alleged abuses, and build trust between the government and its critics.

¶10. Participants.

Representatives of the following NGOs participated in the meeting:

--The National Network for Human Rights Organizations is an alliance dedicated to helping human rights organizations in Mexico become more effective in their work.

--The Fray Bartolome de las Casas Center for Human Rights is a Catholic organization that works for the defense and promotion of human rights, especially for the indigenous villages particularly with special attention to executions, torture, arbitrary detentions, disappearances and forced disappearances.

--The Fray Francisco de Vitoria Center for Human Rights focuses on cases in front of the International Penal Court, executions, freedom of expression, migration, death penalty, political prisoners, racism and torture, as well as publishing information on the human rights information in Mexico.

--An internationally recognized NGO dedicated to promoting respect for human rights in Mexico, the Miguel Agustin Pro Juarez Center for Human Rights focuses on monitoring and analyzing the human rights situation in Mexico, assessing and documenting cases of violations, litigating cases domestically and internationally, educating and training other civil society organizations, and publishing information related to human rights in Mexico.

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--An NGO based in Tlapa de Comonfort, in the State of Guerrero, for more than 13 years, the Tlachinollan Mountain Center for Human Rights has supported indigenous people, has promoted and defended the rights of indigenous communities in Guerrero.

--The Center for Research and Analysis Fundar works at the national and international level to address a broad range of contemporary issues through budget and policy analysis. It focuses on budgets, poverty reduction programs, health sector policies, legislative monitoring, the right of access to information, monitoring of law enforcement agencies, and oversight of human rights agencies and policy.

--The Institute for Security and Democracy focuses on strengthening public security, the police, and professional journalism, by reporting on security issues and applying international programs to local Mexican police bodies.

--The Citizen's Council for Public Security and Justice focuses on public security and aims to improve results from public security and penal authorities.

--Amnesty International Mexico mobilizes volunteers into action put an end to the grave abuses of human rights of individuals and groups around the world and in Mexico.

--The Mexican Commission for the Defense and Promotion of Human Rights tracks issues related to military justice, due process, transnational justice, and violence against women.

--ProDerecho is a multidisciplinary group with activities focused on strengthening and consolidating the institutions of the legal system. The ProDerecho staff specializes in diverse areas of the justice system and implementing new judicial reforms.

The following embassy agencies also participated in the meeting:

Political Section (POL), Agency for International Development (AID), Defense Attache Office (DAO), Narcotics Affairs Section (NAS), Drug Enforcement Agency (DEA), Department of Justice (DOJ), Office of Defense Cooperation (ODC), Public Affairs Section (PAS), Legal Attache (Legatt).  
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